

REMARKS

Claims 1, 4-6 and 8-10 are pending in this application. No new matter has been added by way of the present amendments. For instance, claim 1 has been amended to include subject matter taken from claims 2 and 3, now cancelled. Claim 5 has been amended to include similar subject matter and to define the thermosetting adhesive agent as a "cured" thermosetting adhesive agent as supported by the present specification at page 5, lines 18-28. Additionally, claim 7 has been cancelled. Accordingly, no new matter has been added.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Issues Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1-10 under 35 U.S.C. § 103(a) as being obvious over Kawai et al., USP 6,197,414 (hereinafter referred to as Kawai '414). Applicants respectfully traverse this rejection.

Kawai '414 discloses a fiberboard as well as a manufacturing method. Kawai '414 includes a disclosure of the types of resin to be used for the fiber board. These include urea resins, melamine resins, phenol resins, resorcinol resins, epoxy resins, urethane resins, furfural resins and isocyanate resins (column 5, lines 22-

29 of Kawai '414). The adhesive agents used in the Examples of Kawai '414 are a phenol-based powder adhesive, an isocyanate-based adhesive, or a urea-melamine-based adhesive only. There is no disclosure of the specific thermosetting adhesive agent having a molecular weight distribution as recited in the claims of the present invention.

Accordingly, Kawai '414 fails to suggest or disclose elements recited in the present claims. Thus, the Examiner has failed to present a valid *prima facie* case of obviousness.

Further, Applicants submit that superior properties are achieved by the present invention due to the use of the specific thermosetting adhesive agent as recited in the claims. For instance, the Examiner is referred to the description at page 14, line 28, to page 17, line 14, in particular referencing Figs. 1(a) to 1(c), Fig. 2, Figs. 4(a) to (b), and Table 2 of the present specification. Kawai '414 fails to suggest or disclose any of the specific technical effects or properties as recited in the present claims. Such superior properties are thus unexpected and rebut any hypothetical *prima facie* case of obviousness.

Accordingly, Applicants respectfully submit that the Examiner has failed to present a valid *prima facie* case of obviousness. Reconsideration and withdrawal of this rejection is respectfully requested.

If the Examiner has any questions or comments, please contact Craig A. McRobbie, Reg. No. 42,874 at the offices of BIRCH, STEWART, KOLASCH & BIRCH, LLP.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #42,874
for

Marc S. Weiner, #32,181

MSW/CAM/jao
0020-5216P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

(Rev. 11/22/04)